

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGY**

PROPOSED LANGUAGE

Adopt and amend sections 1387 – 1387.7 and 1389.1 – 1391.11 of Division 13.1 of Title 16 of the California Code of Regulations to read as follows:

§ 1387. Supervised Professional Experience.

~~This section becomes operative effective January 1, 2001. Any supervised professional experience (SPE) accrued on or after January 1, 2001, must comply with the following criteria:~~

This section applies to all trainees, pre- or post-doctoral, who intend for hours of supervised experience to count toward meeting the licensing requirement stated in section 2914 (c) of the Business and Professions Code. Those trainees accruing hours of supervised experience in areas of psychology that do not include direct mental health services should refer to section 1387.3 for information on establishing an alternate plan for SPE.

SPE is defined as an organized program that consists of a planned, structured and administered sequence of professionally supervised comprehensive clinical training experiences. SPE shall have a logical training sequence that builds upon the skills and competencies of trainees to prepare them for the independent practice of psychology once they become licensed.

SPE shall include socialization into the profession of psychology and shall be augmented by integrated modalities including mentoring, didactic exposure, role-modeling, enactment, observational/vicarious learning, and consultative guidance.

SPE shall include activities which address the ~~application~~ integration of psychological concepts and current and evolving scientific knowledge, principles, and theories to the professional delivery of psychological services to the consumer public.

The term “formal internship” as used in these regulations means a placement which is accredited by the American Psychological Association (APA) or which is a member of or meets the membership requirements of the Association of Psychology Postdoctoral and Internship Centers (APPIC) or which is a member of or meets the membership requirements of the California Psychology Internship Council (CAPIC). Whether SPE is accrued in a formal internship or in any of the conditions listed in 1387(a)(1)(A-D) or 1387(a)(2)(A-D), the experience must be conducted consistent with the training standards established by APA or APPIC or CAPIC.

(a) Pursuant to section 2914(c) of the code, two years of qualifying SPE shall be completed and documented prior to licensure. One year of SPE shall be defined as 1500 hours. At least one year of SPE shall be completed postdoctorally. Each year of

SPE shall be completed within a thirty (30) consecutive month period. If both years of SPE (3000 hours) are completed postdoctorally, they shall be completed within a sixty (60) month period. Upon showing of good cause as determined by the board, these specified time limitations may be reasonably modified.

(1) Predoctoral SPE: Up to 1500 hours of SPE may be accrued predoctorally but only after completion of 48 semester/trimester or 72 quarter units of graduate coursework in psychology not including thesis, internship or dissertation. Predoctoral SPE may be accrued only as follows:

(A) In a formal internship placement pursuant to section 2911 of the code and registration with the board is not required; or

(B) As an employee of an exempt setting pursuant to section 2910 of the code and registration with the board is not required; or

(C) As a psychological assistant pursuant to section 2913 of the code and registration with the board prior to commencing work is required; or -

(D) Pursuant to a Department of Mental Health Waiver (5751.2 Welfare and Institutions Code) for which registration with the board is not required.

(2) Postdoctoral SPE: At least 1500 hours of SPE shall be accrued postdoctorally. "Postdoctorally" means after the date certified as "meeting all the requirements for the doctoral degree" by the Registrar or Dean of the educational institution, or by the Director of Training of the doctoral program. Postdoctoral SPE may be accrued only as follows:

(A) As a registered psychologist pursuant to section 2909(d) of the code and registration with the board prior to commencing work is required; or

(B) As an employee of an exempt setting pursuant to section 2910 of the code and registration with the board is not required; or

(C) As a psychological assistant pursuant to section 2913 of the code and registration with the board prior to commencing work is required; or -

(D) Pursuant to a Department of Mental Health Waiver (5751.2 Welfare and Institutions Code) for which registration with the board is not required.

(b) Supervision Requirements:

(1) Primary supervisors shall meet the requirements set forth in section 1387.1.

(2) Delegated supervisors shall meet the requirements set forth in section 1387.2.

(3) ~~Supervisees~~ Trainees shall have no proprietary interest in the business of the primary or delegated supervisor(s) and shall not serve in any capacity which would hold influence over the primary or delegated supervisor(s)' judgment in providing supervision.

(4) ~~Supervisees~~ Trainees shall be provided with supervision for 10% of the total time worked each week. At least one hour per week shall be face-to-face, direct, individual supervision with the primary supervisor.

(5) A maximum of forty four (44) hours per week will be credited toward meeting the SPE requirement. This shall include the required 10% supervision.

(6) The primary supervisor shall be employed ~~in~~ by the same work setting ~~at least half the time~~ as the ~~supervisee~~ trainee and be available to the ~~supervisee~~ trainee 100% of the time the ~~supervisee~~ trainee is accruing SPE. This availability may be in-person, by telephone, by pager or by other appropriate technology. ~~This~~

~~subparagraph does not apply to psychological assistants, who are governed by subsection (d) of this section.~~

(7) Primary supervisors shall ensure that a plan is in place to protect the patient/client in the event a patient/client crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the trainee is working. The primary supervisor shall ensure that the trainee thoroughly understands the plan in the event of a crisis/emergency.

~~(7)(8)~~ SPE shall not be obtained from supervisors who have received payment, monetary or otherwise, from the supervisee trainee for the purpose of providing such supervision.

~~(8)(9)~~ SPE gained while the supervisee trainee is functioning in any other professional capacity under another mental health license or credential, shall not be credited toward meeting the requirements for the psychologist's license.

~~(9)~~ SPE shall be verified in writing by the primary supervisor under penalty of perjury. When verifying hours of SPE, both primary and delegated supervisors shall make the qualification certification required in sections 1387.1(b) and section 1387.2(b). When verifying hours of SPE, the primary supervisor shall certify under penalty of perjury that all requirements of this section have been met. The supervisor's written verification of SPE shall be sent directly to the board by the primary supervisor.

(10) Prior to the start of the experience, the primary supervisor and the trainee shall together prepare a document which identifies at least the following:

- Name and signature of primary supervisor;
- Name and signature of trainee;
- Statutory authority under which the trainee will function;
- Start date of the experience and the anticipated completion date;
- Duties to be performed;
- Address of the locations at which the duties will be performed and,
- Goals and objectives of the plan for supervised professional experience.

Additionally, the document shall reflect that both supervisor and trainee have discussed and understand each term of SPE as required by the California Code of Regulations. The primary supervisor shall maintain the plan document until the hours of supervised experience are completed. Once the supervised experience outlined in the agreement has been completed, the primary supervisor shall submit directly to the board both the agreement document and a verification of the experience signed by the primary supervisor under penalty of perjury. The verification shall certify to completion of the hours consistent with the terms of the supervision agreement document. The supervisor must indicate, in his/her best professional judgment, whether the trainee demonstrated an overall performance at or above the level of minimal competence expected for the trainee's level of education, training and experience. When SPE is accrued as part of a formal predoctoral internship, the internship training director shall be authorized to perform the verification and rating duties of the primary supervisor.

(c) Delegated Supervision Requirements:

(1) Except as provided in ~~4387(d)~~ 1391, which ~~governs~~ regulates the supervision of psychological assistants, primary supervisors may delegate supervision to other

qualified licensed psychologists or to other qualified mental health professionals including licensed marriage and family therapists, licensed educational psychologists, licensed clinical social workers and board certified psychiatrists.

(2) The primary supervisor remains responsible for providing the minimum one hour per week of direct, individual face-to-face supervision.

(3) The primary supervisor remains responsible for ensuring compliance with this section.

~~(d) Exceptions Governing Psychological Assistants:~~

~~(1) Psychological assistants shall be in compliance with the psychological assistant regulations commencing with section 1391 CCR and shall meet the following criteria:~~

~~(A) The supervisor shall be physically on-site at least 50% of the time that the registered psychological assistant is working each week and shall be available at all other times the supervisee is accruing SPE by telephone, pager or other appropriate technology.~~

~~(B) The supervisor shall provide supervision each week for no less than 10% of the hours worked by the supervisee. This shall include at least one hour of direct, individual, face-to-face supervision.~~

~~(C) A maximum of 750 hours out of the 3000 required hours of SPE may be accrued as a psychological assistant registered under the supervision of a board certified psychiatrist. The remaining 2250 hours must be accrued under the primary supervision of a qualified psychologist.~~

~~(2) A registered psychological assistant employed by one of the organizations specified in section 2913 of the code may receive delegated supervision pursuant to section 1387(c) from a qualified psychologist or a board certified psychiatrist other than the supervisor to whom s/he is registered if the delegated supervisor is also employed within the same organization. Otherwise, supervision may not be delegated under a psychological assistant registration.~~

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

§ 1387.1. Qualifications and Responsibilities of Primary Supervisors.

All primary supervisors shall be licensed psychologists, except that board certified psychiatrists may be primary supervisors of their own registered psychological assistants. In this regard, a maximum of 750 hours of experience out of the required 3000, can be supervised by a board certified psychiatrist and can be counted toward meeting the SPE licensing requirements.

(a) Primary supervisors shall possess and maintain a valid, active license free of any formal disciplinary action, and shall immediately notify the supervisee of any disciplinary action, including revocation, surrender, suspension, probation terms, or changes in licensure status including inactive license, delinquent license or any other license status change that affects the primary supervisor's ability or qualifications to supervise.

~~(b) This subsection will become inoperative on January 1, 2003.~~

~~Primary supervisors shall certify under penalty of perjury on the verification form referenced in section 1387(b)(12) that they are qualified to supervise psychology~~

~~trainees pursuant to 1387.1(a) and that they have completed at least six hours of formal training in supervision. Such training shall include the processes, procedures and theories of supervision needed to prepare trainees for independent practice of psychology with safety to the public. Additionally, such training shall include laws and regulations relating to the practice of psychology. Training pursuant to this section may be obtained in one or more of the following ways:~~

- ~~(1) Supervision of supervision training during internship;~~
- ~~(2) Formal coursework in supervision of psychology trainees taken from an accredited educational institution.~~
- ~~(3) Workshops in supervision of psychology trainees;~~
- ~~(4) Supervision training received as part of grand rounds;~~
- ~~(5) Other experiences which provide direction and education in the principles of supervision of psychology trainees.~~

~~(c) (b) Effective January 1, 2003, p~~ Primary supervisors who are licensed by the board shall complete a minimum of six (6) hours of supervision coursework every two years.

~~(1) Primary supervisors who have completed a minimum of six (6) hours of supervision coursework between January 1, 2000, and December 31, 2002, may apply that training or coursework towards this requirement.~~

~~(2) Primary supervisors who have not previously met this requirement shall complete a minimum of six (6) hours of supervision coursework within sixty (60) days of commencement of supervision.~~

~~(3) (1)~~ Primary supervisors shall certify under penalty of perjury to completion of this coursework requirement each time the supervisor completes a verification form as referenced in section 1387(b) ~~(9).~~ (10).

~~(d)(c)~~ Primary supervisors shall be in compliance at all times with the provisions of the Psychology Licensing Law, ~~the licensing laws of the Board of Behavioral Sciences, the Medical Practice Act,~~ and the regulations adopted pursuant to these laws.

~~(e) (d)~~ Primary supervisors shall be responsible for ensuring compliance at all times by the supervisee trainee with the provisions of the Psychology Licensing Law, ~~the licensing laws of the Board of Behavioral Sciences and the Medical Practice Act,~~ and the regulations adopted pursuant to these laws.

~~(f) (e)~~ Primary supervisors shall be responsible for ensuring that all SPE including record keeping is conducted in compliance with the Ethical Principles and Code of Conduct of the American Psychological Association.

~~(g) (f)~~ Primary supervisors shall be responsible for monitoring the welfare of the supervisee's trainee's clients.

~~(h) (g)~~ Primary supervisors shall ~~be responsible for informing~~ ensure that each client or patient is informed, ~~in writing~~ prior to the rendering of services by the supervisee trainee 1. that the supervisee trainee is unlicensed and is functioning under the direction and supervision of the supervisor; and 2. that the primary supervisor shall have full access to the treatment records in order to perform supervision responsibilities and 3. that any

fees paid for the services of the ~~supervisee~~ trainee must be paid directly to the primary supervisor or employer.

~~(f)~~ (h) Primary supervisors shall be responsible for monitoring the ~~clinical~~ performance and professional development of the ~~supervisee~~ trainee.

~~(j)~~ (i) Primary supervisors shall ensure that they have the education, training, and experience in the area(s) of psychological practice they will supervise.

~~(k)~~ The primary supervisor shall ensure that the ~~supervisee~~ has education and training in the area(s) of psychological practice to be supervised.

~~(l)~~ (j) Primary supervisors shall have no familial, intimate, business or other relationship with the ~~supervisee~~ trainee which would compromise the supervisor's effectiveness, and/or which would violate the Ethical Principles and Code of Conduct of the American Psychological Association.

~~(m)~~ (k) Primary supervisors shall not supervise a ~~supervisee~~ trainee who is now or has ever been a psychotherapy client of the supervisor.

~~(n)~~ (l) Primary supervisors shall not exploit or engage in sexual relationships, or any other sexual contact with ~~supervisees~~ trainees.

~~(o)~~ (m) Primary supervisors shall require trainees to review ~~provide a copy of the pamphlet "Professional Therapy Never Includes Sex" to each supervisee.~~

~~(p)~~ (n) Primary supervisors shall monitor the supervision performance of all delegated supervisors.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

§ 1387.2. Qualifications and Responsibilities of Delegated Supervisors.

~~This section becomes operative effective January 1, 2001.~~

Delegated supervisors shall be qualified Licensed Psychologists or those other qualified licensed mental health professionals listed in section 1387(c).

(a) Delegated supervisors shall have and shall maintain a valid, active license free of any formal disciplinary action, shall immediately notify the ~~supervisee~~ trainee and the primary supervisor of any disciplinary action, including revocation, surrender, suspension, probation terms, or changes in licensure status including inactive license, or any other license status change that affects the supervisor's ability or qualifications to supervise.

~~(b) Delegated supervisors shall certify under penalty of perjury on the verification form referenced in section 1387(b)(12) that they are qualified to supervise psychology trainees pursuant to section 1387.1(a) and that they have completed six hours of formal training in supervision. Such training shall include the processes, procedures and theories of supervision needed to prepare trainees for independent~~

practice of psychology with safety to the public. Additionally, such training shall include laws and regulations relating to the practice of psychology. Training pursuant to this section may be obtained in one or more of the following ways:

- (1) Supervision of supervision training during internship;
- (2) Formal coursework in supervision of psychology trainees taken from an accredited educational institution;
- (3) Workshops in supervision of psychological trainees;
- (4) Supervision training received as part of grand rounds;
- (5) Other experiences which provide direction and education in the principles of supervision of psychology trainees.

(e ~~b~~) Delegated supervisors shall be in compliance at all times with the provisions of the Psychology Licensing Law, ~~the licensing laws of the Board of Behavioral Sciences and the Medical Practice Act~~ and the regulations adopted pursuant to these laws.

(~~d~~ c) Delegated supervisors shall be responsible for ensuring compliance by the ~~supervisee~~ trainee with the provisions of the Psychology Licensing Law, ~~the licensing laws of the Board of Behavioral Sciences and the Medical Practice Act~~, and the regulations adopted pursuant to these laws.

(e ~~d~~) Delegated supervisors shall be responsible for ensuring that all SPE and record keeping performed under the supervision delegated to them is conducted in compliance with the Ethical Principles and Code of Conduct of the American Psychological Association.

(f ~~e~~) Delegated supervisors shall be responsible for monitoring the welfare of the ~~supervisee's~~ trainee's clients while under their delegated supervision.

(g ~~f~~) Delegated supervisors shall be responsible for monitoring the clinical performance and professional development of the ~~supervisee~~ trainee and for reporting this performance and development to the primary supervisor.

(~~h~~ g) Delegated supervisors shall ensure that they have the education, training, and experience in the area(s) of psychological practice to be supervised.

(~~i~~ h) Delegated supervisors shall have no familial, intimate, business or other relationship with the ~~supervisee~~ trainee which would compromise the supervisor's effectiveness and/or which would violate the Ethical Principles and Code of Conduct of the American Psychological Association.

(j ~~i~~) Delegated supervisors shall not supervise a ~~supervisee~~ trainee who is now or has ever been a psychotherapy client of the supervisor.

(k ~~j~~) Delegated supervisors shall not exploit or engage in sexual relationships, or any other sexual contact with ~~supervisees~~ trainees.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

§ 1387.3. SPE for Trainees Preparing for Practice in Non-Mental Health Delivery Services.

~~This section becomes operative effective January 1, 2001.~~

(a) Due to lack of training sites and qualified supervisors, typically in the area of applied psychological research, industrial-organizational psychology, and social-experimental psychology, but not including those involving direct mental health

delivery services, a plan for supervised experience may shall be submitted by the supervisee to the Board for approval on a case-by-case basis as provided for in section 2914(c) of the code.

(b) For training approved pursuant to this section, the supervisee trainee may be supervised by an appropriate unlicensed individual only if the supervisee trainee has obtained an agreement within the provisions of this section with a licensee who meets the qualifications set forth in section 1387.1, and who is educated and experienced in the supervisee's trainee's area of education and training, to serve as co-supervisor. The qualifications and responsibilities of both the supervisor and co-supervisor shall be stated in the letter of agreement plan for supervision supervised professional experience submitted by the supervisee trainee to the board for approval.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

§ 1387.4. Out of State Experience.

~~This section becomes operative effective January 1, 2001.~~

(a) ~~SPE accrued in another state, U.S. Territory, or Canadian Province shall meet all of the supervision requirements set forth in sections 1387, 1387.1, 1387.2, 1387.3 (if applicable) and 1387.5 of these regulations. Notwithstanding the requirements of these sections, all~~ All out of state SPE must be (1) supervised by a primary supervisor who is a psychologist licensed at the doctoral level in the state, U.S. territory or Canadian province in which the SPE is taking place or, for no more than 750 hours, by a board certified psychiatrist who is licensed as a physician and surgeon in the state, territory or province in which the SPE is taking place., (2) in compliance with all laws and regulations of the jurisdiction in which the experience was accrued and (3) in substantial compliance with all the supervision requirements of section 1387.

(b) Supervised professional experience can be accrued at a U.S. military installation so long as the experience is supervised by a qualified psychologist licensed at the doctoral level in the U.S. or Canada.

(b) (c) SPE can be accrued in countries outside the U.S. or Canada which regulate the profession of psychology pursuant to the same requirements as set forth in section 2914 of the code. SPE accrued in countries outside the U.S., its Territories or Canada must comply with all the supervision requirements of section 1387. The burden shall be upon the applicant to provide the necessary documentation and translation that the board may require to verify the qualification of the SPE.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

§ 1387.5. SPE Log.

~~This section becomes operative effective January 1, 2001.~~

(a) The supervisee trainee shall maintain a written weekly log of all hours of SPE earned toward licensure. The log shall contain a weekly accounting of the following information and shall be made available to the board upon request:

- (1) The specific work setting in which the SPE took place.
- (2) The specific dates for which the log is being completed.
- (3) The number of hours worked during the week.
- (4) The number of hours of supervision received during the week.
- (5) An indication of whether the supervision was direct, individual, face-to-face, group, or other (specifically listing each activity).
- (b) This log must also contain the following information:
 - (1) The ~~supervisee's~~ trainee's legibly printed name, signature and date signed.
 - (2) The primary supervisor's legibly printed name, signature, license type and number, and date signed.
 - (3) Any delegated supervisors' legibly printed name, license type and number, and date signed.
 - (4) A description of the psychological duties performed during the period of supervised professional experience.
 - (5) A statement signed by the primary supervisor attesting to the accuracy of the information.
- (c) When SPE is accrued as part of a formal internship, the internship training director shall be authorized to provide all information required in section 1387.5(b).

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2914, Business and Professions Code.

§ 1387.6 Psychological Assistants

In order to accrue hours of SPE, a psychological assistant shall at all times be in compliance with the supervision requirements of section 1387 and with the requirements for psychological assistants set forth in section 1391 of this chapter.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1387.7 Registered Psychologists

Persons working as registered psychologists pursuant to section 2909 of the code in order to accrue postdoctoral hours of SPE shall at all times be in compliance with the supervision requirements of section 1387 and with the requirements for registered psychologists set forth in section 1390 of this chapter.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.

§ ~~1390~~ 1389.1. Inspections of Examinations.

Article 5. Registered Psychologists and Psychological Assistants

§ 1390. Citation.

This article may be cited and referred to as the “Registered Psychologist Regulations.”

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.

§ 1390.1. Registration.

Any person desiring to register at a qualifying agency as a registered psychologist shall submit an application on a form provided by the board.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.

§ 1390.2. Withdrawal of Applications.

Applications for registration which have not been completed within ninety (90) days after additional information has been requested shall be deemed to be withdrawn.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.

§ 1390.3. Statement of Purpose.

A person meeting the requirements set forth in section 2909(d) of the code, may provide psychological services under supervision at a non-profit community agency that receives at least 25% of its funding from a governmental source for the purpose of training and providing services so long as that person registers with the board as a registered psychologist. The employing agency must provide the board with evidence of the requisite level of government funding.

(a) The registered psychologist is authorized to function only in the agency to which he or she is registered and only after a registration number has been issued by the board;

(b) The registration shall be in effect for two years from the date of issuance and cannot be renewed and the registrant cannot re-register as a registered psychologist to the same agency;

(c) The registered psychologist shall at all times be under the primary supervision of a qualified licensed psychologist who is employed by the same agency. The primary supervisor shall be available to the trainee 100% of the time that the trainee is working in

such a capacity. This availability can be in-person, by telephone, by pager or by other appropriate technology.

(1) The primary supervisor shall comply with the training requirements set forth in section 1387.1(b) of the code.

(2) The primary supervisor shall ensure that a plan is in place in the event a patient/client crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the trainee is working. The primary supervisor shall ensure that the trainee thoroughly understands the plan in the event of such an emergency.

(d) In order to qualify as “supervised professional experience” pursuant to section 2914(c) of the code, experience gained as a registered psychologist must comply with section 1387.

(e) Each patient or client of a registered psychologist shall be informed, prior to the rendering of services, that the registrant is unlicensed and under the supervision of a qualified licensed psychologist as an employee of the agency and that the supervisor shall have access to the patient’s chart in fulfilling his/her supervisory duties.

(f) No supervisor or employing agency of a registered psychologist may charge a fee or otherwise require monetary payment in consideration for the employment or supervision of a registered psychologist.

Authority cited: Section 2930, Business and Professions Code. Reference: Section 2909, Business and Professions Code.

Article 5. Psychological Assistants

§ 1391.3. Required Training.

Any person who possesses an ~~earned~~ a doctorate degree which will qualify for licensure as a psychologist pursuant to Section 2914 of the code ~~and the rules adopted pursuant thereto~~, shall be deemed to have completed “one fully matriculated year of graduate training in psychology” and will be eligible for registration as a psychological assistant upon compliance with other provisions of Section 2913 of the code.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1391.4. Limited Psychological Functions.

As used in Section 2913 of the code, the phrase “limited psychological functions” means those functions which are ~~consistent with the education and training of the psychological assistant and the education, training and experience of the supervisor.~~ performed under the direction and supervision of the qualified supervisor pursuant to the standards established by the American Psychological Association.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1391.5. Statement of Purpose; Supervision Required.

(a) A psychological assistant shall be under the direction and supervision of a licensed psychologist or board-certified psychiatrist who is ~~rendering professional services in the same work setting at the same time as the psychological assistant is rendering professional services at least fifty percent (50%) of the time professional services are being rendered by the psychological assistant.~~ employed in the same setting in which the psychological assistant is employed. ~~A licensed psychologist who is supervising a psychological assistant on January 1, 1989, may renew the registration to continue that supervision. On or after January 1, 1989, a licensed psychologist may not apply to supervise any psychological assistant he or she has not previously supervised unless the licensed psychologist has three (3) years post licensure professional practice.~~ A licensed psychologist who is supervising psychological assistants must comply with the supervision course requirements set forth in section 1387.1).

(b) The supervisor shall provide a minimum of one (1) hour per week of individual supervision to the psychological assistant; unless more such supervision is required under Section 1391.7 or by the nature of the ~~limited~~ psychological functions performed by the psychological assistant.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1391.6. Supervisor's Responsibility.

(a) Every supervisor of a psychological assistant shall be responsible for supervising the ~~limited~~ psychological functions performed by the psychological assistant and ensuring that the extent, kind and quality of the ~~limited~~ psychological functions performed by the assistant are consistent with the supervisor's his or her training and experience, and that the assistant complies with the provisions of the code, and the board's regulations, and the standards established by the American Psychological Association.

(b) The supervisor shall inform each client or patient ~~in writing~~ prior to the rendering of services by the psychological assistant that the assistant is unlicensed and is under the direction and supervision of the supervisor as an employee and that the supervisor shall have access to the patient's chart in fulfilling his/her supervision duties.

(c) The supervisor shall be available to the assistant 100% of the time the assistant is performing psychological functions. The availability can be in-person, by telephone, by pager or by other appropriate technology.

(d) The supervisor shall ensure that a plan is in place to protect the patient or client in the event a patient/client crisis or emergency occurs during any time the supervisor is not physically present at the established site at which the supervisee is working. The supervisor shall ensure that the supervisee thoroughly understands the plan in the event a patient crisis or emergency occurs.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1391.8. Employer-Employee Business Relationship.

(a) No supervisor or employer of a psychological assistant may charge a fee or otherwise require monetary payment in consideration for the employment or supervision of a psychological assistant. The supervisor or employer shall supply all provisions necessary to function as a psychological assistant.

(b) The psychological assistant shall have no proprietary interest in the business of the supervisor or the employer.

(c) The psychological assistant shall not rent, lease, sublease, or lease-purchase office space from ~~the supervisor or the employer.~~ any entity for purposes of functioning as a psychological assistant.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1391.10. Annual Reports.

On or before January 31, of each year, every supervisor of a psychological assistant shall submit to the board on a form provided by the board a report for the preceding calendar year showing:

(a) The nature of the ~~limited~~ psychological functions performed by the psychological assistant being supervised;

(b) ~~Evidence~~ Certification of employment, ~~which shall include at least one of the following: the employment contract with the psychological assistant, a letter of agreement, or other forms evidencing the employer-employee relationship which may include evidence of workers' compensation payments, social security contributions, or payroll records.~~

(c) The locations at which the psychological assistant provided the ~~limited~~ psychological functions and the type, extent and amount of supervision.

(d) A certification that the ~~limited~~ psychological functions performed by the psychological assistant ~~are within the scope of the psychological assistant's education and training.~~ were performed at a level satisfactory to ensure safety to the public.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.

§ 1391.11. Notification of Termination.

Within thirty (30) days after the termination of the employment of a psychological assistant, the employer shall notify the board in writing of such termination, setting forth the date thereof.

NOTE: Authority cited: Section 2930, Business and Professions Code. Reference: Section 2913, Business and Professions Code.